

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 12, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 959**

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**Introduced by Assembly Member Jones**

February 18, 2011

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An act to amend Section 11265.1 of the Welfare and Institutions Code, relating to public social services.

### LEGISLATIVE COUNSEL'S DIGEST

AB 959, as amended, Jones. CalWORKs and CalFresh: reporting.

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds.

Existing law, in addition to annual redetermination of eligibility for CalWORKs benefits, requires counties to redetermine recipient eligibility and grant amounts on a quarterly basis, using prospective budgeting. Under existing law, if a recipient fails to submit a complete quarterly report form, as defined, by a specified time, the county is required to notify the recipient that benefits will be terminated at the end of the month, pursuant to specified notice procedures. Existing law requires the county to rescind a discontinuance notice if it receives a completed report by the first working day of the next reporting period, or if the county determines that the recipient had good cause, as defined, for failing to submit a complete report form, as specified.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, under which nutrition assistance benefits, formerly referred to as food stamps, are allocated to each state by the federal government. Under existing state law, pursuant to CalFresh, California's federal allocation is distributed to eligible individuals by each county. Existing law requires the State Department of Social Services, to the extent permitted by federal law, regulations, waivers, and directives, to implement the prospective budgeting, quarterly reporting system provided for under the CalWORKs program for the administration of CalFresh benefits.

This bill would revise time periods applicable to rescinding a discontinuance notice for CalWORKs benefits, to allow a recipient, before the last calendar day of the first month of the following quarterly reporting period, to submit a complete quarterly report. The bill would impose a state-mandated local program by requiring the county to restore the recipient's benefits if he or she submits a complete report within that designated time, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 11265.1 of the Welfare and Institutions  
2     Code, as added by Section 30 of Chapter 1022 of the Statutes of  
3     2002, is amended to read:  
4     11265.1. (a) In addition to the requirement for an annual  
5     redetermination of eligibility, counties shall redetermine recipient  
6     eligibility and grant amounts on a quarterly basis using prospective  
7     budgeting. Counties shall use the information reported on a  
8     recipient's quarterly report form to prospectively determine  
9     eligibility and grant amount for the following quarterly reporting  
10    period.

1 (b) A quarterly reporting period shall be three consecutive  
2 calendar months. The recipient shall submit one quarterly report  
3 form for each quarterly reporting period. Counties shall provide a  
4 quarterly report form to recipients at the end of the second month  
5 of the quarterly reporting period, and recipients shall return the  
6 completed quarterly report form with required verification to the  
7 county by the 11th day of the third month of the quarterly reporting  
8 period.

9 (c) Counties may establish staggered quarterly reporting cycles  
10 based on factors established or approved by the department,  
11 including, but not limited to, application date or case number.

12 (d) The quarterly report form shall be signed under penalty of  
13 perjury, and shall include only information necessary to determine  
14 CalWORKs and CalFresh eligibility and calculate the CalWORKs  
15 grant amount and CalFresh allotment, as specified by the  
16 department. The form shall be as comprehensible as possible for  
17 recipients and shall require recipients to provide the following:

18 (1) Information about income received during the second month  
19 of the quarterly reporting period.

20 (2) Information about income that the recipient anticipates  
21 receiving during the following quarterly reporting period.

22 (3) Any other changes to facts required to be reported, together  
23 with any changes to those facts that the recipient anticipates will  
24 occur. The recipient shall provide verification as specified by the  
25 department with the quarterly report form.

26 (e) A quarterly report form shall be considered complete if the  
27 following requirements, as specified by the department, are met:

28 (1) The form is signed no earlier than the first day of the third  
29 month of the quarterly reporting period by the persons specified  
30 by the department.

31 (2) All questions and items pertaining to CalWORKs and  
32 CalFresh eligibility and grant amount are answered.

33 (3) Verification required by the department is provided.

34 (f) If a recipient fails to submit a complete quarterly report form,  
35 as defined in subdivision (e), by the 11th day of the third month  
36 of the quarterly reporting period, the county shall provide the  
37 recipient with a notice that the county will terminate benefits at  
38 the end of the month. Prior to terminating benefits, the county shall  
39 attempt to make personal contact to remind the recipient that a  
40 completed report is due, or, if contact is not made, shall send a

1 reminder notice to the recipient no later than five days prior to the  
2 end of the month. Any discontinuance notice shall be rescinded if  
3 a complete report is received prior to the last calendar day of the  
4 first month of the following quarterly reporting period.

5 (g) The county may determine, at any time prior to the last day  
6 of the calendar month following discontinuance for nonsubmission  
7 of a quarterly report form, that a recipient had good cause for  
8 failing to submit a complete quarterly report form, as defined in  
9 subdivision (e). If the county finds a recipient had good cause, as  
10 defined by the department, it shall rescind the discontinuance  
11 notice. Good cause exists only when the recipient cannot  
12 reasonably be expected to fulfill his or her reporting responsibilities  
13 due to factors outside the recipient's control.

14 (h) If a recipient submits a complete quarterly report form before  
15 the last day of the month following the discontinuance of benefits,  
16 the county shall restore benefits to the household, without requiring  
17 a new application or interview, *and shall prorate benefits from the*  
18 *date that the household provides the completed quarterly report*  
19 *form.*

20 SEC. 2. If the Commission on State Mandates determines that  
21 this act contains costs mandated by the state, reimbursement to  
22 local agencies and school districts for those costs shall be made  
23 pursuant to Part 7 (commencing with Section 17500) of Division  
24 4 of Title 2 of the Government Code.